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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

SAKAI et al.

Serial No.: 10/018,576

Filed: February 20, 2002

For: Positive Electrode Active Material For  
Secondary Battery and Manufacturing Method  
Thereof and Nonaqueous Electrolytic Solution  
Secondary Battery Therewith, and Recovered  
Electronic Functional Material and Reproduction  
Method of Electronic Functional Material

Art Unit: 1752

Examiner: LE, Hoa Van

Atty. Docket: 966928.00002

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated April 15, 2004, requesting an election of claims in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the claims of Group I (Claims 1-6, 7-8, 14-15, and 31-34), without traverse.

This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants reserve the right to file one or more divisional applications to the non-elected groups. Accordingly, reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such

extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 50-0622.

Respectfully submitted,

REED SMITH, LLP



By: Mark R. Shanks

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Date: 5/14/04

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